

## **EXHIBIT 5**

Plaintiff's Preliminary Infringement Contentions for  
Domino's Pizza LLC, including exhibits (if any)

U.S. Patent No. Re. 36,111 Claim 1	Domino's
1. A system for direct routing a telephone call from a first party who has an originating telephone number at a specific location defined by latitude and longitude coordinates who dials a telephone number including digits uniquely characteristic to a second party having a plurality of service locations, said system comprising:	Domino's Pizza LLC ("Domino's") has multiple service locations. Calls placed to, e.g., 1-800-DOMINOS are routed to appropriate service locations as determined by Domino's criteria and the originating phone number. <i>See</i> Exh. 4A, website entitled Customer Service Phone Numbers and Contact Information, found at <a href="http://www.dominos.com/Public-EN/Site+Content/Primary/Find+A+Dominos/Questions+About+Your+Search/">http://www.dominos.com/Public-EN/Site+Content/Primary/Find+A+Dominos/Questions+About+Your+Search/</a> , last accessed October 23, 2007.
means for allocating individual latitude and longitude coordinates to each originating telephone number of all potential first parties;	The system used by Domino's allocates the caller's ANI (Automatic Number Identification) to latitude and longitude coordinates. A person having ordinary skill in the art would normally provide this functionality using readily available, programs, data bases, tables or other instrumentalities that convert telephone numbers to addresses, ZIP codes, ZIP+4 codes or other location identifiers. A well known example of this is a reverse telephone directory. Addresses, ZIP codes and ZIP+4 codes may then be geocoded to latitudes and longitudes using geographic information systems (GISs), geocoding data bases or other instrumentalities such as ESRI and MapInfo.
means for defining the boundaries of one or more geographical areas which can be of any size and shape according to predetermined criteria, each point along said boundaries being defined by latitude and longitude coordinates;	Domino's defines geographic areas using predetermined criteria. A person having ordinary skill in the art would normally provide this functionality using readily available programs or manual means to define boundaries with latitudes and longitudes. Examples of programs and manual means include GIS and physical overlay mapping.
means for assigning to each originating telephone number of said potential first parties a telephone number of a service location of a second party that will receive calls originating from within the boundary of a geographic area defined by said means for defining in which the individual latitude and longitude coordinates of the specific location of each of said potential first parties lie;	The system used by Domino's assigns the telephone number of the appropriate Domino's service location to the telephone number of the caller. A person having ordinary skill in the art would normally provide this functionality using readily available programs that determine whether a point lies within a boundary. Examples of such programs are GISs. The GIS programs use "point-in-polygon" (PIP) algorithmic techniques such as ray casting or winding numbers. The telephone number of the service location of the second party is

	associated with each geographic boundary is included with other data about the geographic area within the GIS or similar program. Once the PIP technique has identified which geographic area the latitude and longitude of the first party lies within, a union is made between the telephone number of the first party and the telephone number of the service location of the second party.
means for determining the originating telephone number of the first party from which said telephone call is to be routed; and	The system used by Domino's uses the ANI to determine the caller's originating telephone number. A person having ordinary skill in the art would normally provide this functionality using readily available signaling protocols such as SS7 to obtain the ANI from the transmission or data networks that are part of the telecommunication network. For example, the SS7 Initial Address Message (IAM) includes the originating telephone number.
direct routing means for direct routing said telephone call to a service location of the second party assigned to said originating telephone number of the first party by said means for assigning.	The system used by Domino's uses a database or look-up table in conjunction a telecommunications switching network to direct route the call to the appropriate Domino's service location.
<b>U.S. Patent No. Re. 36,111 Claim 2</b>	<b>Domino's</b>
2. The system of claim 1 wherein said means for allocating, defining and assigning are comprised by a database.	Domino's uses a database to allocate the caller's ANI to latitude and longitude coordinates, to define geographic areas using predetermined criteria, and to assign the telephone number of the appropriate Domino's service location to the telephone number of the caller.
<b>U.S. Patent No. Re. 36,111 Claim 3</b>	<b>Domino's</b>
3. The system of claim 2 wherein said database resides at a long distance telephone service provider.	The database used by Domino's is believed to be provided to a long distance carrier or equivalent platform service provider.
<b>U.S. Patent No. Re. 36,111 Claim 9</b>	<b>Domino's</b>
9. A method for direct routing a telephone call from a first party who has an originating telephone number at a specific location defined by latitude and longitude coordinates who dials a telephone number including digits uniquely characteristic to a second party having a plurality of service locations, said method comprising the steps of:	Domino's has multiple service locations. Calls placed to, e.g., 1-800-DOMINOS are routed to appropriate service locations as determined by Domino's criteria and the originating phone number. <i>See</i> Exh. 4A.
allocating individual latitude and longitude	Domino's uses a system that allocates the

coordinates to each originating telephone number of all potential first parties;	caller's ANI to latitude and longitude coordinates. A person having ordinary skill in the art would normally allocate latitude and longitude coordinates using readily available, programs, data bases, tables or other instrumentalities that convert telephone numbers to addresses, ZIP codes, ZIP+4 codes or other location identifiers. A well known example of this is a reverse telephone directory. Addresses, ZIP codes and ZIP+4 codes may then be geocoded to latitudes and longitudes using GISs, geocoding data bases or other instrumentalities such as ESRI and MapInfo.
defining the boundaries of one or more geographical areas which can be of any size and shape according to predetermined criteria, each point along said boundaries being defined by latitude and longitude coordinates;	Domino's defines geographic areas using predetermined criteria. A person having ordinary skill in the art would normally use readily available programs or manual means to define boundaries with latitudes and longitudes. Examples of programs and manual means include GIS and physical overlay mapping.
assigning to each originating telephone number of said potential first parties of a service parties location of a second party that receive calls originating from within the boundary of a geographic area defined in said step of defining in which the individual latitude and longitude coordinates of the specific location of each of said potential first parties lie;	Domino's uses a system that assigns the telephone number of the appropriate Domino's service location to the telephone number of the caller. A person having ordinary skill in the art would normally make this assignment using readily available programs that determine whether a point lies within a boundary. Examples of such programs are GISs. The GIS programs use PIP algorithmic techniques such as ray casting or winding numbers. The telephone number of the service location of the second party is associated with each geographic boundary is included with other data about the geographic area within the GIS or similar program. Once the PIP technique has identified which geographic area the latitude and longitude of the first party lies within, a union is made between the telephone number of the first party and the telephone number of the service location of the second party.
determining the originating telephone number of the first party from which said telephone call is to be routed; and	Domino's uses a system that uses the ANI to determine the caller's originating telephone number. A person having ordinary skill in the art would normally make this determination using readily available signaling protocols such as SS7 to obtain the ANI from the transmission or data networks that are part of the telecommunication network. For example, the SS7 IAM includes the originating telephone

	number.
directly routing said telephone call to a service location of the second party assigned to said originating telephone number of the first party by said step of assigning.	Domino's uses a database or look-up table in conjunction a telecommunications switching network to have the call directly routed to the appropriate Domino's service location.
<b>U.S. Patent No. Re. 36,111 Claim 10</b>	<b>Domino's</b>
10. The method of claim 9 wherein said steps of allocating, defining and assigning are performed in a database.	Domino's uses a database to allocate the caller's ANI to latitude and longitude coordinates, to define geographic areas using predetermined criteria, and to assign the telephone number of the appropriate Domino's service location to the telephone number of the caller.
<b>U.S. Patent No. Re. 36,111 Claim 11</b>	<b>Domino's</b>
11. The method of claim 10 wherein said database resides at a long distance telephone service provider.	The database used by Domino's is believed to be provided to a long distance carrier or equivalent platform service provider.
<b>U.S. Patent No. Re. 36,111 Claim 17</b>	<b>Domino's</b>
17. A system for direct routing a telephone call from a first party who has an originating telephone number at a physical location and who dials a telephone number including digits uniquely characteristic to a second party having a plurality of service locations, said system comprising:	Domino's has multiple service locations. Calls placed to, e.g., 1-800-DOMINOS are routed to appropriate service locations as determined by Domino's criteria and the originating phone number. <i>See</i> Exh. 4A.
means for allocating latitude and longitude coordinates to the physical location of all potential first parties;	The system used by Domino's allocates latitude and longitude coordinates to the location of the potential first parties. A person having ordinary skill in the art would normally provide this functionality using readily available, programs, data bases, tables or other instrumentalities that convert telephone numbers to addresses, ZIP codes, ZIP+4 codes or other location identifiers. A well known example of this is a reverse telephone directory. Addresses, ZIP codes and ZIP+4 codes may then be geocoded to latitudes and longitudes using GISs, geocoding data bases or other instrumentalities such as ESRI and MapInfo.
means for defining the boundaries of one or more geographical areas which can be of any size and shape according to predetermined criteria, each point along said boundaries being defined by latitude and longitude coordinates;	Domino's defines geographic areas using predetermined criteria. A person having ordinary skill in the art would normally provide this functionality using readily available programs or manual means to define boundaries with latitudes and longitudes. Examples of

	programs and manual means include GIS and physical overlay mapping.
means for assigning to the physical location of said potential first parties a telephone number of a service location of a second party that will receive calls originating from within the boundary of a geographic area in which the latitude and longitude coordinates of the physical location of each of said potential first parties lie;	The system used by Domino's assigns the telephone number of the appropriate Domino's service location to the physical location of the caller. A person having ordinary skill in the art would normally provide this functionality using readily available programs that determine whether a point lies within a boundary. Examples of such programs are GISs. The GIS programs use PIP algorithmic techniques such as ray casting or winding numbers. The telephone number of the service location of the second party is associated with each geographic boundary is included with other data about the geographic area within the GIS or similar program. Once the PIP technique has identified which geographic area the latitude and longitude of the first party lies within, a union is made between the telephone number of the first party and the telephone number of the service location of the second party.
means for determining the originating telephone number of the first party from which said telephone call is to be routed; and	The system used by Domino's uses the ANI to determine the caller's originating telephone number. A person having ordinary skill in the art would normally provide this functionality using readily available signaling protocols such as SS7 to obtain the ANI from the transmission or data networks that are part of the telecommunication network. For example, the SS7 IAM includes the originating telephone number.
direct routing means for directly routing said telephone call to a service location of the second party assigned to said originating telephone number of the first party by said means for assigning.	The system used by Domino's uses a database or look-up table in conjunction a telecommunications switching network to direct route the call to the appropriate Domino's service location.
<b>U.S. Patent No. Re. 36,111 Claim 19</b>	<b>Domino's</b>
19. The system of claim 17 wherein the physical location is defined by a ZIP+4 code.	The physical location of the caller is mapped to a ZIP+4 code.
<b>U.S. Patent No. Re. 36,111 Claim 20</b>	<b>Domino's</b>
20. The system of claim 17 wherein the physical location is defined by a ZIP code.	The physical location of the caller is mapped to a ZIP code.
<b>U.S. Patent No. Re. 36,111 Claim 29</b>	<b>Domino's</b>
29. A method for direct routing a telephone call from a first party who has an originating	Domino's has multiple service locations. Calls placed to, e.g., 1-800-DOMINOS are routed to

telephone number at a physical location and who dials a telephone number including digits uniquely characteristic to a second party having a plurality of service locations, said method comprising the steps of:	appropriate service locations as determined by Domino's criteria and the originating phone number. <i>See</i> Exh. 4A.
allocating latitude and longitude coordinates to the physical location of all potential first parties;	Domino's uses a system that allocates latitude and longitude coordinates to the location of the potential first parties. A person having ordinary skill in the art would normally allocate latitude and longitude coordinates using readily available, programs, data bases, tables or other instrumentalities that convert telephone numbers to addresses, ZIP codes, ZIP+4 codes or other location identifiers. A well known example of this is a reverse telephone directory. Addresses, ZIP codes and ZIP+4 codes may then be geocoded to latitudes and longitudes using GISs, geocoding data bases or other instrumentalities such as ESRI and MapInfo.
defining the boundaries of one or more geographical areas which can be of any size and shape according to predetermined criteria, each point along said boundaries being defined by latitude and longitude coordinates;	Domino's defines geographic areas using predetermined criteria. A person having ordinary skill in the art would normally use readily available programs or manual means to define boundaries with latitudes and longitudes. Examples of programs and manual means include GIS and physical overlay mapping.
assigning to the physical location of said potential first parties a telephone number of a service location of a second party that will receive calls originating from within the boundary of a geographic area in which the latitude and longitude coordinates of the physical location of each of said potential first parties lie;	Domino's uses a system that assigns the telephone number of the appropriate Domino's service location to the location of the potential first parties. A person having ordinary skill in the art would normally make this assignment using readily available programs that determine whether a point lies within a boundary. Examples of such programs are GISs. The GIS programs use PIP algorithmic techniques such as ray casting or winding numbers. The telephone number of the service location of the second party is associated with each geographic boundary is included with other data about the geographic area within the GIS or similar program. Once the PIP technique has identified which geographic area the latitude and longitude of the first party lies within, a union is made between the telephone number of the first party and the telephone number of the service location of the second party.
determining the originating telephone number of the first party from which said telephone call is to be routed; and	Domino's uses a system that uses the ANI to determine the caller's originating telephone number. A person having ordinary skill in the

	art would normally make this determination using readily available signaling protocols such as SS7 to obtain the ANI from the transmission or data networks that are part of the telecommunication network. For example, the SS7 IAM includes the originating telephone number.
directly routing said telephone call to a service location of the second party assigned to said originating telephone number of the first party by said step of assigning.	Domino's uses a database or look-up table in conjunction a telecommunications switching network to have the call directly routed to the appropriate Domino's service location.
<b>U.S. Patent No. Re. 36,111 Claim 31</b>	<b>Domino's</b>
31. The method of claim 29 wherein the physical location is defined by a ZIP+4 code.	The physical location of the potential first parties is mapped to a ZIP+4 code.
<b>U.S. Patent No. Re. 36,111 Claim 32</b>	<b>Domino's</b>
32. The method of claim 29 wherein the physical location is defined by a ZIP code.	The physical location of the potential first parties is mapped to a ZIP code.
<b>U.S. Patent No. Re. 36,111 Claim 41</b>	<b>Domino's</b>
41. A method of constructing a database wherein said database is used by a telephone service provider for direct routing a telephone call from a first party who has an originating telephone number at a physical location and who dials one of an 800-type, 900-type or other special access code telephone number assigned to a second party, who has determined specific locations to receive calls originating from within pre-determined geographic areas, thereby allowing the first party to reach one of a plurality of locations of the second party based on geographic location from which the telephone call originate from within one of a plurality of geographic areas, said method comprising the steps of:	Domino's has multiple service locations. Calls placed to, e.g., 1-800-DOMINOS are routed to appropriate service locations as determined by Domino's criteria and the originating phone number. <i>See</i> Exh. 4A.
(a) assigning individual latitude and longitude coordinates to the physical location of all potential first parties;	Domino's has a database constructed that includes latitude and longitude coordinates assigned to the location of the potential first parties. A person having ordinary skill in the art would normally assign latitude and longitude coordinates using readily available, programs, data bases, tables or other instrumentalities that convert telephone numbers to addresses, ZIP codes, ZIP+4 codes or other location identifiers. A well known example of this is a reverse telephone directory.

	Addresses, ZIP codes and ZIP+4 codes may then be geocoded to latitudes and longitudes using GISs, geocoding data bases or other instrumentalities such as ESRI and MapInfo.
(b) defining the boundaries of one or more geographic areas which can be of any size and shape according to predetermined criteria each point along said boundaries being defined by latitude and longitude coordinates; and	Domino's has a database constructed in which geographic areas are defined using predetermined criteria. A person having ordinary skill in the art would normally use readily available programs or manual means to define boundaries with latitudes and longitudes. Examples of programs and manual means include GIS and physical overlay mapping.
(c) assigning to the physical location of said potential first parties a telephone number of a service location of a second party that will receive calls originating from within the boundary of a geographic territory in which the latitude and longitude coordinates of the physical location of each of said potential first parties lies.	Domino's has a database constructed in which the telephone number of the appropriate Domino's service location is assigned to the location of the potential first parties. A person having ordinary skill in the art would normally make this assignment using readily available programs that determine whether a point lies within a boundary. Examples of such programs are GISs. The GIS programs use PIP algorithmic techniques such as ray casting or winding numbers. The telephone number of the service location of the second party is associated with each geographic boundary is included with other data about the geographic area within the GIS or similar program. Once the PIP technique has identified which geographic area the latitude and longitude of the first party lies within, a union is made between the telephone number of the first party and the telephone number of the service location of the second party.
<b>U.S. Patent No. Re. 36,111 Claim 43</b>	<b>Domino's</b>
43. The method of claim 41 wherein step (a) comprises the steps of:	Domino's has a database that is constructed in part by:
(i) determining a ZIP+4 code of the physical location of each potential first party:	Mapping the physical location of the caller to a ZIP+4 code;
(ii) determining the latitude and longitude coordinates of said ZIP+4 code; and	Determining the latitude and longitude coordinates of the ZIP+4;
(iii) correlating the latitude and longitude coordinates of each ZIP+4 code to the telephone number of each potential first party.	Correlating these latitude and longitude coordinates to the ANI of each potential first party.
<b>U.S. Patent No. Re. 36,111 Claim 44</b>	<b>Domino's</b>
44. The method of claim 41 wherein step (a) comprises the steps of:	Domino's has a database that is constructed in part by:
(i) determining a ZIP code of the physical	Mapping the physical location of each potential

location of each potential first party;	first party to a ZIP code;
(ii) determining the latitude and longitude coordinates of the ZIP code of each potential first party; and	Determining the latitude and longitude coordinates of the ZIP code;
(iii) correlating the latitude and longitude coordinates of each ZIP code to the telephone number of each potential first party.	Correlating these latitude and longitude coordinates to the ANI of each potential first party.

<b>U.S. Patent No. 5,805,689 Claim 1</b>	<b>Domino's</b>
1. In a telephone system, a method of constructing a database wherein said database is used by a telephone service provider for direct routing a telephone call from a first party who dials one of an 800-type, 900-type or other special access code telephone number assigned to a second party, who has determined specific locations to receive calls originating from within pre-determined geographic areas, thereby allowing the first party to reach one of a plurality of locations of the second party based on geographic location of the first party from within one of a plurality of geographic areas, said method comprising the steps of:	Domino's has multiple service locations. Calls placed to, e.g., 1-800-DOMINOS are routed to appropriate service locations as determined by Domino's criteria and the originating phone number. <i>See</i> Exh. 4A.
a. assigning individual latitude and longitude coordinates to each telephone number of all potential first parties;	Domino's has a database constructed that includes latitude and longitude coordinates assigned to the ANI of the potential first parties. A person having ordinary skill in the art would normally assign latitude and longitude coordinates using readily available, programs, data bases, tables or other instrumentalities that convert telephone numbers to addresses, ZIP codes, ZIP+4 codes or other location identifiers. A well known example of this is a reverse telephone directory. Addresses, ZIP codes and ZIP+4 codes may then be geocoded to latitudes and longitudes using GISs, geocoding data bases or other instrumentalities such as ESRI and MapInfo.
b. defining the boundaries of one or more geographic areas which can be of any size and shape according to pre-determined criteria;	Domino's has a database constructed in which geographic areas are defined using predetermined criteria. A person having ordinary skill in the art would normally use readily available programs or manual means to define boundaries with latitudes and longitudes. Examples of programs and manual means include GIS and physical overlay mapping.
c. assigning to the telephone number of each	Domino's has database constructed in which the

potential first party a telephone number of a specific location of the second party that will receive calls originating from within a geographic area of each first party;	telephone number of the appropriate Domino's service location is assigned to the ANI of the potential first party. A person having ordinary skill in the art would normally make this assignment using readily available programs that determine whether a point lies within a boundary. Examples of such programs are GISs. The GIS programs use PIP algorithmic techniques such as ray casting or winding numbers. The telephone number of the service location of the second party is associated with each geographic boundary is included with other data about the geographic area within the GIS or similar program. Once the PIP technique has identified which geographic area the latitude and longitude of the first party lies within, a union is made between the telephone number of the first party and the telephone number of the service location of the second party.
d. determining in which geographic area a potential call might originate for each potential first party in the area encompassed by all geographic areas; and	Domino's has a database constructed in which the geographic area from which a call might originate is determined.
e. assigning the specific location of the second party to all potential first parties within the boundaries of each geographic area.	Domino's has a database constructed in which the appropriate Domino's service location is assigned to the potential first parties within the geographic area.
<b>U.S. Patent No. 5,805,689 Claim 3</b>	<b>Domino's</b>
3. The method of claim 1 wherein step a. further comprises the steps of:	Domino's has a database that is constructed in part by:
a. determining a ZIP+4 code of the address of each potential first party;	Mapping the address of each potential first party to a ZIP+4 code;
b. determining the latitude and longitude coordinates of said ZIP+4 code; and	Determining the latitude and longitude coordinates of the ZIP+4;
c. correlating the latitude and longitude coordinates of each ZIP+4 code to the telephone number of each potential first party.	Correlating these latitude and longitude coordinates to the ANI of each potential first party.

GET THE DOOR. IT'S DOMINO'S.™

FIND A DOMINO'S ➔

SEE THE MENU ➔

INSIDE DOMINO'S •

INVESTORS •

JOIN OUR TEAM •

FRANCHISE WITH US

# FIND A DOMINO'S

## Questions About Your Search?

We're sorry you are experiencing difficulties with our Store Locator. you may call our store locator at 1-800-DOMINOS. This service is available 24 hours a day, 7 days a week.

If you are having trouble, please e-mail us with your name, e-mail address, zip code, phone number, the browser you are using, the time you received the error, and the error itself. You may reach us at [webmaster@dominos.com](mailto:webmaster@dominos.com)

[Start a New Search](#) ➔



[GIFT CERTIFICATES](#) • [PRIVACY POLICY](#) • [SITE INDEX](#) • [EMAIL OFFERS](#) • [CONTACT US](#) • [TERMS OF USE](#) •

[EN ESPAÑOL](#)

© 2007 Domino's IP Holder LLC. Domino's®, Domino's Pizza® and the modular logo are registered trademarks of Domino's IP Holder LLC.